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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00251 RMW
	)	
Plaintiff,	)	
	)	STIPULATION AND [PROPOSED]
v.	)	ORDER EXCLUDING TIME
	)	
JOSE BONILLA,	)	
	)	
Defendant.	)	SAN JOSE VENUE
	)	
	)	

On July 23, 2007, the parties in this case appeared before the Court for status conference. The parties jointly requested that the case be continued from July 23, 2007, until August 20, at 9:00 a.m. in order for counsel for defendant and the Government to continue to discuss a possible resolution of the case. In addition, the parties requested an exclusion of time under the Speedy Trial Act from July 23, 2007 to August 20, 2007. The court subsequently continued the case by minute order to August 27, 2007. The parties agree and stipulate that an exclusion of time is

1 appropriate based on the defendant's need for effective preparation of counsel.

2 SO STIPULATED:

3 SCOTT N. SCHOOLS  
4 United States Attorney

5  
6 DATED:

7 /s/  
THOMAS M. O'CONNELL  
Assistant United States Attorney

8  
9  
10  
11 DATED:

12 /s/  
LARA VINARD, AFPD  
Counsel for Bonilla

13  
14 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
15 under the Speedy Trial Act from July 23, 2007 until August 27, 2007. The Court finds, based on  
16 the aforementioned reasons, that the ends of justice served by granting the requested continuance  
17 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
18 the requested continuance would deny defense counsel reasonable time necessary for effective  
19 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
20 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
21 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

22 SO ORDERED.

23  
24 DATED: \_\_\_\_\_

25 RONALD M. WHYTE  
United States District Judge